

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the above amendments and following remarks is respectfully requested.

Claims 1 and 3-10 are currently pending in this application. By this amendment, Claims 1 and 3-9 are amended; Claim 10 is added; and Claim 2 is canceled herewith.

In the outstanding Office Action, Claims 1-4 and 8-9 were objected to for informalities. Accordingly, the claims are amended. Withdrawal of the objection to Claims 1-4 and 8-9 is respectfully requested.

Claims 1-9 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,285,818B1 to Suito et al. This rejection is respectfully traversed.

The applied art does not teach, disclose or even suggest that the commercial message detection control means limits the processing of the commercial message detection means when the television program signal includes no commercial message, as claimed in Claim 1 and similarly claimed in Claims 8 - 10.

Instead, as shown in Figure 8 of Suito et al., sections 1-4 are detected as commercial sections. Section 7 lasts 15 seconds and is continuous with sections 8 and 9 with the sound multiplexing mode being monophonic. This section is not determined to be a commercial. Accordingly, the commercial section detecting circuit 10 outputs a "1" if a frame one minute before is determined to be a commercial and a "0" if the frame is not determined to be a commercial. The audio signal SA and the video signal SV outputted from the tuner 3 are also supplied to the delay circuit 11. That is, when recording on a recording medium, it is necessary that the data is synchronized with a commercial detection signal outputted from the commercial section detecting circuit 10. The delay circuit 11 carries out this synchronization.

The commercial section detecting circuit 10 has a buffer (memory) for one minute for a commercial detection. It is necessary to carry out one-minute delay processing in the delay circuit 11. An output from the delay circuit 11 is supplied to a modulation circuit 12. Here, modulations such as EFM modulation is carried out into a signal form for writing the audio and the video signal on a recording medium.

Accordingly, the features of the claimed invention are not taught or disclosed in the applied art. That is, Suito et al. does not teach or suggest that the commercial message detecting control means limits the processing of the commercial message detecting means when the television program signal includes no commercial message. According to exemplary embodiments of the invention, as shown in Figure 10, if channel information inputted from the tuner 31 to the commercial message detecting block 34 represents, for example, a channel that does not broadcast a commercial message, the detection operation discrimination section 42 does not perform its commercial message detection and thus, does not output a commercial message detection output. Suito et al. does not teach or suggest these features.

Consequently, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance for Claims 1 and 3-10 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

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